

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION No. 1703 OF 2006

Adnan Bilal Mulla

. . . . Petitioner

Vs.

The State of Maharashtra . . . Respondent

Mr. D. S. Mhaisapurkar, APP for the State.

CORAM : R.M.S. KHANDEPARKAR

AND

Mrs. V.K. TAHILRAMANI, JJ.

DATE : SEPTEMBER 12, 2007.

P.C.

. None present for the petitioner. Mr.

D. S. Mhaisapurkar, APP present for the
respondent.

2. Heard. Perused the records. The learned APP has placed before us for our perusal copy of the order passed by the Apex Court on 18th October 2005 in Criminal Petition No. 10943 of 2005 to 10945 of 2005 in Special Leave Petition (Criminal) Nos. 5170 to 5172 of 2005. In terms of the said order, the proceedings in POTA Special Case No. 2 of 2003 already stand stayed. It was

also informed on behalf of the respondent that the matter before the Apex Court is fixed in November 2007 for hearing.

3. By the present petition, the petitioner is merely asking for stay for framing of charges in POTA Special Case No. 2 of 2003. Once it is apparent that the Apex Court stayed the proceeding, the question of framing of charge by the concerned Court does not arise. Viewed from this angle, there is no question of granting any relief in the matter, and as no other relief is asked for in the matter, petition is liable to be dismissed.

4. It has also been brought to our notice that the petitioner had earlier filed another Writ Petition No.716 of 2005 which was disposed of by this Court on 6th October 2005. In the said application also the petitioner had prayed for stay for framing the charges and the said relief was refused.

5. In the result thereof considering the

circumstances disclosed to the Court, the
petition is dismissed, with liberty to the
petitioner to adopt appropriate action, if so
desired, and in case need arises in the
matter, with no orders as to costs.

[R.M.S. KHANDEPARKAR, J.]

[Smt. V. K. TAHILRAMANI,J.]